

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application. Claims 1, 3 and 5-11 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

Entry of Amendment

Applicants submit that the entry of the present Amendment is proper since Applicants have only rewritten claims in independent form which the Examiner has previous indicated as being allowable. Accordingly, since all of the claims are *prima facie* allowable, Applicants submit the entry of this Amendment is proper.

It is furthermore noted that an Amendment had been filed on November 17, 2005. The Advisory Action of November 30, 2005 indicates that Amendment will be entered for the purpose of appeal. It is therefore assumed that the Amendment has not yet been entered and the present Amendment is based upon the claims presented in the Amendment of May 24, 2005.

Allowable Subject Matter

It is gratefully acknowledged that the Examiner considers the subject matter of claims 7-9 as being allowable and the subject matter of claims 4-6 as being allowable if rewritten into independent form. Although not conceding the appropriateness of the Examiner's rejections, claim 1 has been rewritten to include the limitations of claims 2 and 4. Accordingly, claims 1, 3 and 5-9 are now in condition for allowance. In addition, claims 10 and 11 have been returned to

dependent form and made to depend from claim 7. Accordingly, these claims are also now in condition for allowance.

Rejection under 35 U.S.C. § 102

Claims 1-3 and 10 stand rejected under 35 U.S.C. § 102 as being anticipated by Golladay, U.S. Patent 4,634,949. This rejection is respectfully traversed.

Since the limitations of claim 4 have now been added to claim 1, this rejection is believed to be overcome.

Claim 11 stands rejected under 35 U.S.C. § 102 as being anticipated by Omori, JP 11164598. This rejection is respectfully traversed.

Claim 11 has now been rewritten in dependent form and made to depend from claim 7 which has been indicated as being allowable. Accordingly, this rejection is believed to be overcome.

Double Patenting

The Examiner indicated that if claims 1 and 4 were combined that there could be a problem of double patenting in regard to claim 7. However, in rewriting claim 1, Applicants have added not only the limitations of claim 4, but also the limitations of claim 2. Accordingly, no double patenting is involved.

Conclusion

Application No. 10/674,388
Amendment dated December 22, 2005
After Final Office Action of August 22, 2005

Docket No.: 0044-0270P

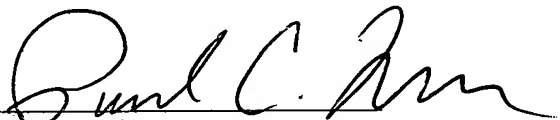
In view of the above remarks, it is believed that the application is now *prima facie* in condition for allowance. Accordingly, reconsideration and allowance of all the claims are respectfully requested.

Pursuant to the provisions of 37 C.F.R. §§ 1.17 and 1.136(a), the Applicants hereby petition for an extension of one (1) month to December 22, 2005 in which to file a reply to the Office Action. The required fee of \$120.00 is enclosed herewith.

If the Examiner has any questions or comments, please contact Robert F. Gnuse, Reg. No. 27,295 at the offices of Birch, Stewart, Kolasch & Birch, LLP.

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Respectfully submitted,

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